CITY OF LOGAN,
ORDINANCE NO. 03-66

AN ORDINANCE AMENDING LOGAN MUNICIPAL CODE, 1989, CHAPTER 17.40 "SIGNS" AND CHAPTER 17.62 "DEFINITIONS"

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:


SECTION 2: Logan Municipal Code, 1989, Chapter 17.40, "Signs," is hereby enacted as hereinafter set forth, comprising Sections 17.40.010 through Section 17.40.120.


SECTION 4: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 3rd DAY OF September, 2003, by the following vote:

AYES: Kerr, Allred, Ayers
NAYS: B. Thompson
ABSENT: Nill
ABSTENTION: Matt

ATTEST:
Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 3rd day of Sept , 2003.

Tom Kerr, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 3rd day of Sept, 2003.

Douglas E. Thompson, Mayor
Chapter 17.40: Signs

§17.40.010. Purpose
The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the city; to fulfill a community-wide goal to protect the aesthetic quality of the community; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

§17.40.020. Applicability
The provisions of this section apply to all types of signs, except:
A. Official public notice, traffic control, warning, or safety signs as required by law;
B. Appropriately displayed official flags of any country, federal agency, state, county, or city government; any university, college, trade school, or public school; service organizations, fraternal organizations; fraternities, sororities, or school clubs;
C. Any sign located within a building and not visible from a public street;
D. Merchandise displays within display windows in commercial buildings;
E. Any identification sign or logo applied to the outside surface of a vehicle, provided the vehicle is not used as a sign as defined in §17.40.110;
F. Public or private memorials, displays of remembrance of persons or events.

§17.40.030. Permanent Signs
A. Residential Zoning Districts and Residential Uses in Nonresidential Zones
The following standards apply to all permanent residential signs without regard to the base zoning district. Churches, schools, parks, government facilities, and community services within residential zoning districts (SFL, SFT, SFR, AG, MH, MFV, MFH, MFM) are also regulated by this section and table 17.40.030.A.
1. Sign types not listed in the following table are not permitted;
2. Only one reader board or message center is allowed per project;
3. All reader boards and message centers require approval from the Design Review Committee;
4. See also §17.40.040 through §17.040.070 regarding sign measurement, placement, illumination, and permitting.

<table>
<thead>
<tr>
<th>Table 17.40.030.A: Residential Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use/Structure Type</td>
</tr>
<tr>
<td>Multi-family complex</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Subdivisions, planned developments, condominiums, mobile home parks</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
</tr>
</tbody>
</table>

96 SDT = Sight Distance Triangle (40 feet from curb intersection)
CHAPTER 17.40: SIGNS

B. Nonresidential Zoning Districts

The following standards apply to all permanent signs in the commercial, industrial, public, and recreational zoning districts (CG, CN, CE, CC, IND, PUB, REC) with the exception of residential uses (see §17.40.030.A).

1. Sign types not listed in the following tables are not permitted;
2. Total facade signage is limited to 10 percent of the first story façade area. Any number of separate building signs are allowable with the exception of reader boards and message centers;
3. Only one reader board or message center is allowed per project;
4. All reader boards and message centers require approval from the Design Review Committee;
5. Multi-tenant projects have additional restrictions (see §17.40.050);
6. See also sections 17.40.040 through 17.40.080 regarding sign measurement, placement, illumination, permitting, and master signage plans.

<table>
<thead>
<tr>
<th>Use/Structure Type</th>
<th>Sign Type</th>
<th>Number</th>
<th>Area (s.f.)</th>
<th>Height (ft.)</th>
<th>Setback (ft.)</th>
<th>Approval Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Churches, schools, parks, government facilities, community services</td>
<td>Building</td>
<td>1 per façade</td>
<td>36</td>
<td>na</td>
<td>na</td>
<td>Staff</td>
</tr>
<tr>
<td>Monument</td>
<td>1 per street</td>
<td>36</td>
<td>8</td>
<td>0, not in SDT94</td>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>Directory</td>
<td>No limit</td>
<td>36</td>
<td>5</td>
<td>2096, not in SDT96, within 15 ft. of primary building</td>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>Directional</td>
<td>One per access point to a vehicular use area within the property or project</td>
<td>3</td>
<td>4</td>
<td>0</td>
<td>Staff</td>
<td></td>
</tr>
</tbody>
</table>

Table 17.40.030.B1: Building Signs in Nonresidential Zoning Districts

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Zones</th>
<th>Area</th>
<th>Approval Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual letters</td>
<td>All</td>
<td>10%</td>
<td>Staff</td>
</tr>
<tr>
<td>Sign board</td>
<td>All</td>
<td>10%</td>
<td>Staff</td>
</tr>
<tr>
<td>Painted advertising copy</td>
<td>All</td>
<td>10%</td>
<td>Staff</td>
</tr>
<tr>
<td>Wall art (non-advertising copy)</td>
<td>All</td>
<td>10%95</td>
<td>Staff/DR95</td>
</tr>
<tr>
<td>Cabinet</td>
<td>All but CC</td>
<td>10%</td>
<td>Staff</td>
</tr>
<tr>
<td>Awning with signage</td>
<td>All</td>
<td>10%</td>
<td>Staff</td>
</tr>
<tr>
<td>Reader board with changeable letters</td>
<td>All</td>
<td>10%</td>
<td>DR</td>
</tr>
<tr>
<td>Electronic message center</td>
<td>All</td>
<td>10%</td>
<td>DR</td>
</tr>
<tr>
<td>Perpendicular within right-of-way (non-electrical)</td>
<td>CC &amp; CN only</td>
<td>10 sq. ft. each</td>
<td>Staff</td>
</tr>
<tr>
<td>Perpendicular not within right-of-way</td>
<td>All</td>
<td>10 sq. ft. each</td>
<td>Staff</td>
</tr>
<tr>
<td>Window signs</td>
<td>All</td>
<td>10%</td>
<td>Staff</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Zones</th>
<th>Area (s.f.)</th>
<th>Maximum Height (ft.)</th>
<th>Number</th>
<th>Setback (ft.)</th>
<th>Approval Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pole</td>
<td>CG only</td>
<td>48</td>
<td>14 (6.5 foot clearance)</td>
<td>1 per project (no monument signs allowed)</td>
<td>1096</td>
<td>DR</td>
</tr>
</tbody>
</table>

95 All setbacks are measured from the property line.
96 Graphics that cover over 10 percent of the area of the first floor façade must receive a design review permit (see § 17.50). Staff can approve wall art that covers less than or equal to 10 percent of the area of the first floor façade.
CHAPTER 17.40: SIGNS

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Zones</th>
<th>Area (s.f.)</th>
<th>Maximum Height (ft.)</th>
<th>Number</th>
<th>Setback (ft.)</th>
<th>Approval Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monument</td>
<td>All</td>
<td>32 for CC &amp; CN zones, 72 for all other zones</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>1 per street frontage plus one per every 300 feet of street frontage over 300 feet or half thereof&lt;sup&gt;97&lt;/sup&gt;</td>
<td>0, not in SDT&lt;sup&gt;94&lt;/sup&gt;</td>
<td>Staff</td>
</tr>
<tr>
<td>Menu board</td>
<td>All</td>
<td>72</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>2 per drive through lane</td>
<td>20&lt;sup&gt;90&lt;/sup&gt;</td>
<td>Staff</td>
</tr>
<tr>
<td>Directional</td>
<td>All</td>
<td>3</td>
<td>4</td>
<td>One per access point to a vehicular use area within the lot</td>
<td>0</td>
<td>Staff</td>
</tr>
<tr>
<td>Directory</td>
<td>All</td>
<td>32 for CC &amp; CN zones, 72 for all other zones</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>no limit</td>
<td>20&lt;sup&gt;90&lt;/sup&gt;, not in SDT&lt;sup&gt;94&lt;/sup&gt;, must be within 15 ft. of primary building</td>
<td>Staff</td>
</tr>
</tbody>
</table>

Table 17.40.030.B3: Freestanding Signs for Multi-Tenant Projects in Non-Residential Zoning Districts

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Zones</th>
<th>Area (s.f.)</th>
<th>Maximum Height (ft.)</th>
<th>Number</th>
<th>Setback (ft.)</th>
<th>Approval Type</th>
<th># of tenants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pole</td>
<td>CG only</td>
<td>48</td>
<td>14 (8.5 foot clearance)</td>
<td>1 per project (no monument signs allowed)</td>
<td>10&lt;sup&gt;94&lt;/sup&gt;, not in SDT&lt;sup&gt;94&lt;/sup&gt;</td>
<td>1</td>
<td>DR</td>
</tr>
<tr>
<td>Monument</td>
<td>All</td>
<td>32 for CC &amp; CN zones, 72 for all other zones</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>1 per street frontage plus one per every 300 feet of street frontage over 300 feet or half thereof&lt;sup&gt;97&lt;/sup&gt;</td>
<td>0, not in SDT&lt;sup&gt;94&lt;/sup&gt;</td>
<td>Any w/ uniform background</td>
<td>Staff</td>
</tr>
<tr>
<td>Menu board</td>
<td>All</td>
<td>72</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>2 per drive through lane</td>
<td>20&lt;sup&gt;90&lt;/sup&gt;</td>
<td>na</td>
<td>Staff</td>
</tr>
<tr>
<td>Directory</td>
<td>All</td>
<td>32 for CC &amp; CN zones, 72 for all other zones</td>
<td>6 for CC &amp; CN zones, 8 for all other zones</td>
<td>no limit</td>
<td>20&lt;sup&gt;90&lt;/sup&gt;, not in SDT&lt;sup&gt;94&lt;/sup&gt;, must be within 15 ft. of building</td>
<td>Any w/ uniform background</td>
<td>Staff</td>
</tr>
<tr>
<td>Directional</td>
<td>All</td>
<td>3</td>
<td>4</td>
<td>One per access point to a vehicular use area</td>
<td>0</td>
<td>na</td>
<td>Staff</td>
</tr>
</tbody>
</table>

§17.40.040. Sign Measurement

A. Sign face area shall be computed by means of:
   1. The area of the sign shall encompass the outer limits of the sign cabinet frame for signs within a cabinet;
   2. For signs with individual components, the measurement shall be based on the letters, emblem, or other display, together with any material or color forming an integral part of the background of the area used to differentiate the sign from its backdrop.

B. Height
   1. The height of a freestanding sign shall be measured from the top of the nearest city curb, or if no curb the crown of the nearest road to the highest portion of the freestanding sign; or
   2. The height of a freestanding sign may be measured from the average finished grade of the site within a fifty-foot radius.

<sup>97</sup> One monument sign is allowed for projects with a street frontage up to 449 feet. Two monument signs are allowed for projects with 450 up to 749 feet of a street frontage. Three monument signs are allowed for projects with 750 up to 1049 feet of a street frontage, etc.
C. Clearance
   All pole signs and any signs that project more than 12 inches from a building must have a minimum clearance of 8.5 feet from the finished grade.

§17.40.050. Sign Placement
A. Single Tenant Project
   1. All signs and sign structures shall be located completely within the boundaries of the lot on which the principal building or use is located;
   2. No part of a pole sign shall be placed within 10 feet of an adjacent public or private right-of-way or property line;
   3. No part of a freestanding sign shall be placed within the required sight distance triangle;
   4. No portion of a freestanding sign may extend into the public right-of-way;
   5. Building signs shall not project beyond the corner of a building; and shall not be attached to or extend above the parapet or roof of a building;
   6. Building signs shall not project more than 12 inches from a building wall, unless designed and approved as a perpendicular sign.

B. Multi-Tenant Project
   1. All signs and sign structures shall be located completely within the boundaries of the project;
   2. No part of a pole sign shall be placed within 10 feet of an adjacent public or private right-of-way or property line;
   3. No part of a freestanding sign shall be placed within the required sight distance triangle;
   4. No portion of a monument sign may extend into the public right-of-way;
   5. Building signs shall not project beyond the corner of a building; and shall not be attached to or extend above the parapet or roof of a building;
   6. Building signs shall not project more than 12 inches from a building wall, unless designed and approved as a perpendicular sign.

§17.40.060. Illumination
A. For non-residential zones no signs within 300 feet of a residential zoning district shall be illuminated between the hours of eleven p.m. and five a.m.;
B. For residential districts, no sign shall be illuminated between the hours of ten p.m. and six a.m.
C. Signs that are externally illuminated shall have a shielded, stationary, steady light source that is directed solely at the sign face;
D. Light sources used to illuminate signs shall not be visible from adjacent rights-of-way or properties.

§17.40.070. Permits
A. Permanent signs
   1. All permanent signs shall have a permit issued by the Department of Community Development prior to installation. Failure to obtain a sign permit may result in enforcement actions pursuant to §17.60;
   2. Permit applications shall require scale drawings showing the design of the sign(s) including size, materials, illumination, colors and other items as determined necessary by staff;
3. Permit applications shall require scale drawings showing the placement of the sign(s) and its location on the building;

4. Permit applications for freestanding signs shall require scale site plans showing the location of the sign(s) on the property, streets, property lines, buildings, driveways, landscaping, parking areas and other items as determined necessary by staff;

5. The permit number plaque provided by the Department of Community Development shall be affixed to the lower right hand side of the sign cabinet or to a location identified by a Department official when the permit is issued;

6. Freestanding and perpendicular signs require plans prepared and stamped by or under the supervision of a professional engineer licensed to practice in the State of Utah as required by the International Building Code;

7. All signs require plans meeting the requirements of the International Building Code for installation and mounting of signs;

8. Some signs may require an additional approval from the Design Review Committee, the Historic Preservation Committee, or both.

B. Inspections

1. Inspection of all mounting brackets, electrical work, and freestanding sign bases shall be required as specified in the International Building Code;

2. Freestanding signs require an inspection of the forms and size of hole prior to the pouring of concrete;

3. Failure to obtain the inspection may result in a prohibition against using the freestanding sign base without further code compliance;

4. Inspections are not required for refaces of legally existing signs, painted building signs, wall art, window signs or other types of signs as determined by the Department of Community Development.

C. Licensed Contractor Required

All signs with a value of five hundred dollars or more shall be installed by a sign contractor licensed by the State of Utah.

§17.40.080. Master Signage Plan for Multi-Tenant Projects

All signs in multi-tenant projects such as shopping centers or office complexes shall comply with the following:

A. Design Review Required

1. In addition to the standards of Chapter 17.50, the Design Review Committee shall consider the following:
   a. The appropriateness of the signage in relation to the size, scale, and location of the project;
   b. The character of the area in which the signage is proposed to be displayed.

2. Requirements for approval
   a. Each freestanding sign shall have a uniform background color, illumination and material unless otherwise approved by the Design Review Committee.
   b. All sign types within the project shall be of similar size and scale.

3. The Design Review Committee may allow one single-tenant pole sign for the project if one of the allowed monument signs is eliminated and there is a minimum of 450 feet of street frontage along a single street.
4. Submittal requirements
All multi-tenant projects shall submit a master signage plan to the Design Review Committee for approval prior to the issuance of any sign permits. The plan shall include all proposed signage for the entire project.
   a. Master signage plans shall include scale drawings showing the design of the signage including size, materials, illumination, colors and other items as determined necessary by staff;
   b. Master signage plans shall include scale drawings showing the placement of signs and their locations on buildings;
   c. Master signage plans shall include a scale site plan showing the locations of signs, streets, property lines, buildings, driveways, landscaping, parking areas and other items as determined necessary by staff;
   d. Any signage not included in the master signage plan shall return to the Design Review Committee unless the Director of Community Development and the Planning Commission Chair determine that the addition or change substantially conforms to the approved master signage plan.

§17.40.090. Real Estate Signs
Real estate signs shall be permitted for all uses, provided that signs are located outside the sight distance triangle and:
A. One such sign shall be allowed per parcel;
B. Real estate signs shall be non-illuminated;
C. Real estate signs on nonresidential sites shall not exceed 32 square feet in area and six feet in height;
D. Real estate signs on residential lots shall not exceed four square feet in area or be more than four feet in height from the ground;
E. Such signs shall be removed within 5 days from the date of closing or full occupancy, if leasing;
G. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60.
H. Signs not located on the subject property for sale which serve as a directional sign to a sale property shall be prohibited, except as provided in subsection I of this section. Such off-premise signs may be removed as described in chapter 17.60.
I. Open house signs.
   1. In addition to a sign on the subject property promoting an open house, additional open house signs shall be permitted as follows:
      a. Signs are limited to a maximum size of four square feet in area and four feet in height;
      b. One open house sign may be permitted within the public right-of-way within the landscape strip at the nearest corner to direct traffic to the open house. The sign shall be placed no earlier than 30 minutes before the start of the open house and shall be removed within one hour of the end of the open house;
      c. Associated balloons, streamers, or attention-getting devices may not cause a safety hazard;
      d. Signs shall be on posts that are placed into the ground, sandwich board or freestanding open house signs shall not be permitted due to the potential of winds blowing the signs into the traveled way;
      e. Not more than one open house sign may be placed on a corner;
f. No individual open house shall be identified by more than three signs located within the public right-of-way.

§17.40.100. Temporary Signs
Temporary signs shall be allowed in addition to primary signs and be located on-premise. Temporary means any sign displayed for less than 90 days. All sign types not listed in the following section are not permitted.

A. Political Signs and Freedom of Expression Signs
Political signs are permitted as follows provided that the signs are not located within the sight distance triangle.

1. Signs for political candidates:
   a. Signs shall not exceed 12 square feet per facing and a maximum height of four feet;
   b. Signs shall not be restricted as to content or colors;
   c. Signs may be placed on private property after the candidate has filed the appropriate declaration of candidacy or other required filing documents with the appropriate public official to receive such filings;
   d. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60;
   e. Signs shall be removed within 48 hours of the last election in which the candidate is to be listed on the ballot or a candidate for a write-in vote.

2. Freedom of expression signs associated with an election:
   a. Signs shall not be restricted as to content or colors;
   b. Maximum size shall be 12 square feet per sign face, with a maximum display height of four feet above the ground;
   c. Signs may be placed on private property after the issue for which the sign advocates a position has been approved for placement on the next ballot by the County Clerk or City Recorder;
   d. Signs shall include a notation or certificate on the back of the sign listing the sponsoring individual or organization, name of the contact person, the contact person’s name, address, and phone number;
   e. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60;
   f. Signs shall be removed within 48 hours of the election in which the issue is on the ballot.

3. Freedom of expression signs not associated with an election:
   a. Signs shall not be restricted as to content or colors;
   b. Maximum size shall be 12 square feet per sign face, with a maximum height of four feet above the ground;
   c. Signs may be placed on private property;
   d. Signs shall include a notation or certificate on the back of the sign listing the sponsoring individual or organization, name of the contact person, the contact person’s name, address, and phone number;
   e. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60.

B. Personal Event Signs
Such signs typically include the birth of a child or grandchild, the return of a family member from an extended trip, graduation, or other family celebration,
1. Personal event signs shall be permitted as follows:
   a. Personal event signs shall be removed within 24 hours of the conclusion of the event and shall not be displayed for more than three days;
   b. Personal event signs shall be limited to a maximum sign area of 32 square feet;
   c. Personal event signs shall not be placed within the sight distance triangle;
   d. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60.

C. Neighborhood and Community Events
1. Sponsoring organizations shall be non-profit organizations, schools, or religious institutions;
2. Neighborhood and community event signs shall be limited to a maximum size of 12 square feet;
3. Neighborhood and community event signs shall be secured to the ground with posts and shall not be sandwich boards or attached to trees or other vegetation;
4. Neighborhood and community event signs shall not be located within the sight distance triangle;
5. Signs may be posted on private property not more than fourteen days prior to the event;
6. The name of the sponsoring organization, the contact person, person's address and phone number shall be posted on the back of the sign;
7. Signs shall be removed within 24 hours of the conclusion of the event;
8. Signs shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60.

D. Garage Sales, Homemade Craft Sales, Home Boutique Sales
1. Only households and immediate neighborhoods may qualify under these regulations. These sign standards do not apply to commercial ventures, temporary vendors, or the sale of new merchandise not crafted or prepared by the seller residing at the residence where the items are sold;
2. Garage sale, homemade craft, or home boutique signs shall be limited to a maximum size of four square feet and shall be located on private property at the location of the sales activity;
3. Such signs shall not be located within the sight distance triangle;
4. Signs at other locations to attract interest to the event may be posted on private property from dawn until dusk on the day of the sale. Signs shall be removed at night for sales that occur over more than one day;
5. The name of the sponsor, their address, and phone number shall be written on the back of the sign;
6. Signs shall not be placed on public property, on utility poles, light poles, or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60.

E. Construction Signs
1. Construction signs may not be located within the sight distance triangle;
2. Such signs may identify the project name and major participants, such as and not limited to: owner, developer, planner, architect, engineer, builder, financier, unions, or skilled trades;
3. Not more than four such signs shall be permitted per site;
4. Signs shall not be placed on public property, on utility poles, light poles, or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60;

5. For construction of individual single-family residences such signs shall not exceed four square feet in area and four feet in height above the ground;

6. For residential subdivision or multi-family residential construction such signs shall not exceed 32 square feet in area and six feet in height;

7. For non-residential development such signs shall not exceed 32 square feet in area and six feet in height;

8. Such signs shall be removed within 5 days of the date of the issuance of the last certificate of occupancy or sale of all lots; whichever occurs first.

F. Window Signs

1. Window displays and signage within stores not attached to windows are not regulated by the City, even if visible from outside the store;

2. Window signs that are displayed without change for a period of less than 90 days shall be defined as “temporary” for the purposes of this chapter. Window signs that are displayed without change for a period of 90 days or more shall be defined as “permanent” (See Table 17.40.030.B 1).

G. Holiday Decorations on Nonresidential Properties

1. The decorations shall not be located within the sight distance triangle;

2. Such displays may be exhibited only during local, state or nationally or internationally recognized holiday periods;

3. Such displays shall emit no noise, sound or music that is audible beyond the property lines of the subject property; any audio shall be discontinued at 10:00 p.m.;

4. Such displays shall contain no commercial message;

5. Such displays shall be removed within five days after season end; The Christmas–New Year holiday period ends on January sixth.

H. Holiday Decorations on Residential Properties

1. The decorations shall not be located within the sight distance triangle;

2. Such displays shall emit no noise, sound or music that is audible beyond the property lines of the subject property.

I. Commercial Banners

1. The business displaying the banner shall write the date that the banner was erected on the back of the banner;

2. Commercial banners shall not be used as permanent identification signs;

3. Commercial banners shall not exceed 48 square feet in area;

4. Commercial banners shall be securely attached to the primary building;

5. Commercial banners shall be maintained in safe condition. Banners that are damaged, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;

6. Commercial banners shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Banners that are faded, damaged, torn, or ripped, shall be replaced or removed by the owner;

7. Commercial banners shall be located on private property;
8. Commercial banners shall not be placed on public property or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60;
9. Commercial banners shall not be mounted on freestanding poles;
10. Commercial banners shall not be mounted between a building and a pole;
11. Commercial banners shall not be mounted on a fence;
12. Commercial banners shall not hang below the bottom of awnings, canopies, or other overhangs or between columns or pillars;
13. Commercial banners shall not be mounted on freestanding signs;
14. Commercial banners shall not be located off-premise.

J. Noncommercial Banners
1. The sponsor displaying the banner shall write the date that the banner was erected on the back of the banner;
2. Noncommercial banners shall not be used as permanent identification signs;
3. Noncommercial banners shall not hang below the bottom of awnings, canopies, or other overhangs or between columns or pillars;
4. Noncommercial banners may be mounted on a fence as approved by the Director of Community Development;
5. Noncommercial banners shall not be mounted on freestanding signs;
6. Noncommercial banners shall not be mounted on freestanding poles;
7. Noncommercial banners shall be maintained in safe condition. Noncommercial banners that are damaged, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
8. Noncommercial banners shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Banners that are faded, damaged, torn, or ripped, shall be replaced or removed by the owner;
9. Noncommercial banners within the public right-of-way are regulated by the Administration and Community Development Departments;
10. Noncommercial banners shall not be larger than 48 square feet.

K. Attention-Getting Devices
1. Attention-getting devices are only permitted within the CC, CG and CE zoning districts and may be displayed only during special events, sales or community events;
2. In the CC zone such devices may be temporarily installed within the right-of-way during such events with a permit issued by the Department of Community Development;
3. In the CG and CE zoning districts no attention-getting devices shall be attached or displayed within the public right-of-way or on utility poles or streetlights. Such off-premise signs may be removed as described in chapter 17.60;
4. Attention-getting devices shall be maintained in safe condition. Attention-getting devices that are damaged, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
5. Attention-getting devices shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Attention-getting devices that are faded, damaged, torn, ripped, or missing components shall be replaced or removed by the owner.
L. Inflatables
1. Inflatables shall be displayed on the ground on private property;
2. Inflatables shall not be placed on public property, on utility poles, light poles, or within the public right-of-way; such off-premise signs may be removed as described in chapter 17.60;
3. Inflatables shall not be placed within the sight distance triangle;
4. Inflatables shall be appropriately anchored and shall not be a hazard to property, pedestrians, or vehicles;
5. Inflatables shall be appropriately anchored overnight, and the business owner may be required to deflate an inflatable display at the conclusion of business each day, if it is found that the unit is not appropriately secured and a possible threat to public health and safety;
6. Banners, pennants, or other attention-getting devices shall not be attached to the inflatables, except for the name of the business or event if the inflatable display is designed to securely hold the banner.
7. Inflatables shall not be taller than 14 feet;
8. Inflatables are only permitted within the CC, CG and CE zoning districts and may be displayed only during special events, sales or community events;
9. Inflatables shall be maintained in safe condition. Inflatables that are damaged, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
10. Inflatables shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Inflatables that are faded, damaged, torn, ripped, or missing components shall be replaced or removed by the owner.
11. The sponsor displaying the inflatable shall write the date that the inflatable was erected on the inflatable or its supporting structure;
12. Inflatables may be displayed for a maximum period of seven days once every 90 days.

M. Commercial Central Event Signs
1. Commercial event signs are only permitted in the Commercial Central zoning district and may be displayed only during special events, sales or community events;
2. Commercial event signs shall be limited to a maximum size of 12 square feet;
3. Commercial event signs shall be securely anchored and shall not be attached to trees, other vegetation, fences, or site furnishings such as light poles, benches, waste receptacles, etc.;
4. Commercial event signs shall not be located within the sight distance triangle;
5. The name of the sponsoring business, the contact person, person’s address and phone number shall be posted on the back of the sign;
6. Signs may be posted no more than 72 hours prior to the event;
7. Signs shall be removed within 24 hours of the conclusion of the event;
8. Commercial event signs may be temporarily installed within the right-of-way with a permit issued by the Department of Community Development;
9. Commercial event signs shall be maintained in safe condition. Commercial event signs that are damaged, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
9. Commercial event signs shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Commercial event signs that are faded, damaged, torn, ripped, or missing components shall be replaced or removed by the owner.

10. Commercial event signs may be displayed for a maximum period of seven days once every 90 days.

§17.40.110. Prohibited Signs
The following signs shall be prohibited in all zoning districts unless otherwise authorized:
A. Signs that do not comply with the provisions of this section, except for legally existing nonconforming signs;
B. Signs that are located off-premise (see Section 15.28.300 of the Logan Municipal Code);
C. Signs above or within public rights-of-way except for perpendicular signs as authorized in this chapter;
D. Signs on lots without a principal use;
E. Building signs that extend above the parapet or roof;
F. Signs attached to the roof of a building;
G. Portable "reader boards" and other portable signs that are not attached to a building or the ground except as otherwise defined in this Chapter;
H. Signs that rotate, flash, move or give the appearance of motion; not including electronic message centers and barber poles;
I. Signs that are attached to or towed behind a vehicle, except for business identification signs or logos that are permanently affixed to the vehicle or a magnetic sign that serves the purpose of being affixed to the vehicle;
J. Signs that emit sound, odor or visible matter such as smoke or vapor;
K. Signs painted on or attached to utility poles, trees or natural features (signs painted or engraved onto boulders or natural materials as a part of the sign permit may be permitted in conformance with this Chapter);
L. Signs that are abandoned, dilapidated, or advertise businesses that are no longer licensed or situated on the location;
M. Sign structures, poles, pylons, and other supports not maintained or kept in good aesthetic and physical condition;
N. Signs with visible frames unless part of the approved sign design;
O. Signs that exhibit words or pictures of an obscene nature;
P. Signs that are inflatable except as otherwise identified in §17.40.100;
Q. Parking of vehicles with signs or graphics mounted on the vehicle that result in the vehicle serving as a sign or billboard; parking of such vehicles at off-site locations, excluding over-the-road truck trailers which, in the process of making deliveries, are parked or retained at the business for 48 hours or less;
R. Signage that includes a visible or direct light source with the exception of neon or other lighting that has been approved as a part of the sign design (see also §17.40.060 on illumination);
S. Signs that would cause a violation of the Building Code;
T. "Sandwich boards" or "A frame" signs.

§17.40.120. Signs in the Public Right-of-Way
A. No signs shall be allowed in the public right-of-way, except:
1. Emergency warning signs erected by a governmental agency, public utility or contractor authorized to work within the right-of-way;
2. Public signs erected by or on behalf of a governmental entity to post legal notices, convey public information, and direct or regulate pedestrian or vehicular traffic;

3. Community or public events may have signs within the public right-of-way as approved by the Department of Community Development and the City Administration Department;

4. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;

5. Temporary signs identified in §17.40.100 and elsewhere in this Chapter as being permitted in the right-of-way are not subject to the prohibition of this section.

6. Perpendicular signs as permitted in this chapter are not subject to the prohibition of this section.
Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

§17.62.010. Accessory Dwelling Unit
"Accessory dwelling unit" means one additional dwelling unit for limited occupancy in an owner-occupied single family home in a single family zoning district that may be occupied by a separate household.

§17.62.020. Accessory Structure
"Accessory structure" means a structure that is subordinate to and serves a primary use or structure; is subordinate to the primary use or structure served; contributes to the comfort, convenience or necessity of occupants of the primary use or structure served; and is located on the same lot and in the same zoning district as the primary use.

§17.62.030. Accessory Use
"Accessory use" means a use or activity that is a subordinate part of a primary use and clearly incidental to a primary use.

§17.62.040. Accommodations
"Accommodations" means a generic term used in this code to apply to “bed and breakfast inn”, “motel”, and “hotel”. Also means “lodging”.

§17.62.050. Adult-Oriented Business
"Adult-oriented business” means any or all of the following or any portions of the following:

A. Adult Bookstore, Adult Video Store, Adult Novelty Store
   1. A business which excludes minors from more than fifteen percent of the retail floor or shelf space of the premises; or
   2. A business which, as one of its principal purposes, offers for sale, exhibition, or rental, for any form of consideration, any one or more of the following: books, magazines, novelties, periodicals, or other printed matter; or photographs, films, motion pictures, video cassettes, or video reproductions, slides, or other visual representations, the central theme of which depicts or describes “specified sexual activities” or “specified anatomical areas”; or instruments, devices, or paraphernalia which are designated for use in connection with “specified sexual activities,” except for legitimate medically recognized contraceptives.

B. Adult business, or Adult-oriented Business
   An adult motion picture theater, adult theater, adult bookstore, adult video store, or adult novelty store.
C. Adult Motion Picture Theater

"Adult motion picture theater" means a commercial establishment which:
1. Excludes minors from the showing of two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or
2. As its principal business, shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”

D. Adult Theater

"Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which:
1. Holds itself out as an adult theater; or
2. Excludes minors from the showing of two consecutive exhibitions (repeated performance of the same presentation shall not be considered a consecutive exhibition); or
3. As its principal purpose or business, features persons who appear in live performances in a state of semi-nudity or which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

E. Principal purpose

A component of a business which generates fifteen percent or more of gross sales or utilizes ten percent or more of retail display area.

F. Semi-nude

A state of dress in which opaque clothing covers no more than the areola of the female breast; and the male or female genitals, pubic region, and anus shall be fully covered by an opaque covering no narrower than four inches wide in the front and five inches wide in the back, which shall not taper to less than one inch wide at the narrowest point.

G. Specified Anatomical Areas

The human male or female pubic area or anus with less than a full opaque covering, or the human female breast below a point immediately above the top of the areola, with less than full opaque covering.

H. Specified Sexual Activities

Specified sexual activities means:
1. Acts of:
   a. Masturbation,
   b. Human sexual intercourse,
   c. Sexual copulation between a person and a beast,
   d. Fellatio,
   e. Cunnilingus,
   f. Bestiality,
   g. Pederasty,
   h. Buggery, or
   i. Any anal copulation between a human male and another human male, human female, or beast;
2. Manipulating, caressing or fondling by any person of:
   a. The genitals of a human,
   b. The pubic area of a human,
   c. The breast or breasts of a human female;
   d. Flagellation or torture by or upon a person clad in undergarments, a
      mask or bizarre costume, or the condition of being fettered, bound or
      otherwise physically restrained on the part of the one so clothed.

§17.62.060. Aerobic studio
“Aerobic studio” means a business to which a class of participants attend on a
periodic or regular basis for purposes of exercise, weight training, fitness training,
and participation in related activities. An aerobic studio may also include the
retail sales of products related to its services.

§17.62.070. Affordable Housing
“Affordable Housing” means safe and decent housing with a sales price or rent
that is within income limitations for households defined as low and moderate
income by current Federal or State definitions.

§17.62.080. Agriculture
“Agriculture” means the production, keeping, or maintenance, for sale, lease or
personal use, of plants and animals useful to society, including and not limited to:
forages and sod crops; grains and seed crops; dairy animals and dairy products,
poultry and poultry products; livestock, including beef cattle, sheep, swine,
horses, ponies, mules, or goats or any mutations or hybrids thereof, including the
breeding and grazing of any or all such animals; bees and apiary products; fur
animals; trees and forest products; fruits of all kinds, including grapes, nuts, and
berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands
devoted to a soil conservation or forestry management program.

§17.62.090. Airport
“Airport” means the Logan–Cache County Airport.

§17.62.100. Airport Board of Adjustment
“Airport Board of Adjustment” means the City of Logan Board of Adjustment
performing the duties prescribed in Utah Code §2–4–5.

§17.62.110. Airport Hazard
“Airport hazard” means any structure or use of land which actually or potentially
obstructs the airspace required for safe flight of air craft in landing or taking off at
an airport.

§17.62.120. Airport Hazard Area
“Airport hazard area” means any area of land upon which an airport hazard might
be established.
§17.62.130. **Airport Zoning Commission**

"Airport zoning commission" means the City of Logan Planning Commission serving in the roles prescribed in Utah Code §2–4–5.

§17.62.140. **Appeal**

"Appeal" means an administrative procedure that requests relief from a decision by a designated hearing officer, commission, committee, or board.

§17.62.150. **Applicant**

"Applicant" means the person making application for a project review. See also "proponent".

§17.62.160. **Application**

"Application" means:

A. **Application in general.**

A submission of materials that is required to be received by the City prior to commencing any action that results in the issuance of a permit or the granting of an approval or conditional approval. The contents of an application are a combination of the materials that are required by statute, materials that are specified in this title, and materials that may be required as a part of the City's administrative process. A "petition" is also an application.

B. **Complete application.**

An application shall not be considered complete until all the required materials have been received and verified as to content. A complete application includes:

1. payment of required application fees and charges, and
2. all maps, drawings, and materials required by statute or ordinance, and
3. all of the maps, drawings, and information specified in the City’s administrative procedures prepared in a neat, legible manner;

§17.62.170. **Assisted living center**

"Assisted living center" means Residences that provide for semi-independent living. Such facilities may be (1) equipped with studio or one bedroom apartments with limited kitchen facilities, generally designed for single occupancy; (2) contain central dining facilities where prepared meals are served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents.

§17.62.180. **Back-Out Parking**

"Back-Out Parking" means a parking configuration that requires vehicles to maneuver directly from the parking space onto a public street without a driveway.

§17.62.190. **Base zone or base zoning district.**

See "zone, base," refer to §17.62.230A.
§17.62.200. **Basement**

"Basement" means a portion of a building partly below ground and not having more than one-half of its height above the level of the adjoining ground.

§17.62.210. **Bed and Breakfast or Bed and Breakfast Inn**

"Bed and Breakfast" or "Bed and Breakfast Inn" means Overnight accommodations of ten or fewer rooms that may also serve one or more meals limited to registered guests.

§17.62.220. **Berm**

"Berm" means a linear earthen mound.

§17.62.230. **Billboard**

"Billboard" means a sign, land use, vehicle, trailer, or structure that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

§17.62.240. **Block**

"Block" means a unit of land bounded by streets or a combination of streets, public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

§17.62.250. **Block Frontage**

"Block Frontage" means all of the property fronting on a street that is between intersecting streets, or that is between a street and a water feature, or end of a dead end street.

§17.62.260. **Board of Appeals**

"Board of Appeals" means the three person Board established in Logan Municipal Code Chapter 2.58.

§17.62.270. **Board of Adjustment**

"Board of Adjustment" means the five person Board established in Logan Municipal Code Chapter 2.54.

§17.62.280. **Boarding house, lodging house**

"Boarding house, lodging house" means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided. A lodging house is a boarding house in which meals are not provided. The length of stay in a boarding house or lodging house is thirty or more days.

§17.62.290. **Boundary line adjustment.**

"Boundary line adjustment" or "Lot line adjustment" means the relocation of the property boundary line between two adjoining lots with the consent of the owners of record.
§17.62.300. Building footprint
   See “building coverage.”

§17.62.310. Building Coverage
   “Building Coverage” means the portion of a site covered by buildings or other
   roofed structures, including eaves. “Building Coverage” also means “building
   footprint.”

§17.62.320. Building
   “Building” means a structure having a roof supported by columns or walls, for the
   housing or enclosure of persons, animals or chattels.

§17.62.330. Building Line
   “Building Line” means a line running parallel to a lot line, that is the same
   distance from the lot line as the closest portion of a building on the site.

§17.62.340. Cart corral
   “Cart corral” is an area designated within a parking lot where persons place
   shopping carts, dollies, handtrucks, pallet jacks, and other similar equipment.

§17.62.350. Certificate of approval
   “Certificate of Approval” means certification language as required by this title
   and Utah Code incorporated onto any deed or instrument creating a new lot by
   metes and bounds description or other such description.

§17.62.360. Chief executive officer
   “Chief Executive Officer” means the elected Mayor of the City of Logan.

§17.62.370. Clear trunk
   “Clear trunk” means the distance between the top of the root ball along the
   vertical trunk or trunks of a tree to the point at which lateral branching or fronds
   begin.

§17.62.380. Cluster development
   “Cluster development” means “planned development.” Refer to §17.62.1320.

§17.62.390. Combining district, combining zone
   See “zone, combining,” Refer to §17.62.230B.

§17.62.400. Common area
   “Common area” means lands, structures, infrastructure, or facilities within a
   project that is owned in undivided interest by the property owners, a
   condominium association, or other entity in common.

§17.62.410. Community center
   “Community center” means a building used for recreation, social, educational, or
   cultural activities, open to the public or a designated part of the public. A
community center is usually owned and operated by a public or nonprofit group or agency.

§17.62.420. Community service
“Community service” means a use of a public, a nonprofit, or a charitable nature providing a local service to people of the community. Generally the service is provided onsite or there are employees at the site on a regular basis. The service is always ongoing and not for special events. It may include special counseling, education, or training of a public, nonprofit, or charitable nature. “Community service” does not include facilities or uses which house or serve adjudicated youth offenders, proctor homes, group homes serving as transitional facilities for criminally convicted persons, or other group homes as defined by State or Federal law or regulations. See “group home,” §17.62.840.

§17.62.430. Condominium
“Condominium” means a building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. “Condominium” means a “planned development“ (Refer to §17.62.1320).

§17.62.440. Days
“Days” means calendar days, unless specifically stated as working days.

§17.62.450. Decision-Making Body
“Decision-Making Body” means a person or group authorized in the Land Development Code to conduct land use reviews and take action on the matter under review.

§17.62.460. Department
“Department” means the Department of Community Development. Other departments, divisions, or agencies are referenced by name.

§17.62.470. Density
“Density” means the number of dwelling units per acre of land area. Density may also be expressed as the amount of land area per dwelling unit.

§17.62.480. Development Review Committee
“Development Review Committee” means the committee of members of the City staff and other agencies as invited or convened to review development proposals prior to permits being issued or reports being prepared for decision-making bodies.

§17.62.490. Diameter breast height
“Diameter at Breast Height” (DBH) means the diameter of a tree measured at 4.5 feet above grade.
§17.62.500. Director
"Director" means the Director of Community Development of the City of Logan or the Director's designee. Directors of other departments are referenced by department, division, or title.

§17.62.510. Discretionary approval
"Discretionary approval" means an action of the City that may be approved, conditionally approved, or denied at the discretion of the decision-making body upon making appropriate findings or utilizing adopted standards or policies.

§17.62.520. Discretionary permit
"Discretionary permit" means a permit issued by the City when the City has the discretion to approve the permit as requested, approve it in a modified form with conditions or other changes generated by application review, or to deny the permit on the basis of reasons or findings of fact.

§17.62.530. District
Same as "Zoning District."

§17.62.540. Dripline
"Dripline" means the natural outside end of the branches of a tree or shrub projected vertically to the ground.

§17.62.550. Drought-tolerant vegetation
"Drought-tolerant vegetation" means trees, shrubs, groundcovers and other vegetation, excluding prohibited or controlled species, which is classified as very or moderately drought-tolerant in accepted horticultural or landscaping publications.

§17.62.560. Dwelling Unit
"Dwelling Unit" means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of the occupants.

§17.62.570. Engineer
"Engineer", when referring to a City decision-maker, means the City Engineer.

§17.62.580. Family
"Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.
§17.62.590. **Flood hazard: Appeal**

"Appeal" means a request for a review of the city engineer’s interpretation of any provisions of this chapter or a request for a variance.

§17.62.600. **Flood hazard: Area of special flood hazard**

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

§17.62.610. **Flood hazard: Base flood**

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

§17.62.620. **Flood hazard: Development**

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

§17.62.630. **Flood hazard: Existing manufactured home park or manufactured home subdivision**

"Existing manufactured home park" or "manufactured home subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of the ordinance codified in this chapter.

§17.62.640. **Flood hazard: Expansion to an existing manufactured home park or manufactured home subdivision**

"Expansion to an existing manufactured home park" or "manufactured home subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

§17.62.650. **Flood hazard: Flood or flooding**

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland

B. The unusual and rapid accumulation or runoff of surface waters from any source.
§17.62.660. **Flood hazard: Flood Insurance Rate Map (FIRM/Flood Insurance Study)**

"Flood Insurance Rate Map (FIRM/Flood Insurance Study)" means the official map on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zoning districts applicable to the community and official report provided by the Federal Emergency Management Agency. It includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

§17.62.670. **Flood hazard: Floodway**

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

§17.62.680. **Flood hazard: Lowest floor**

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

§17.62.690. **Flood hazard: Manufactured home**

"Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers unless the same are placed on a site for greater than one hundred eighty consecutive days.

§17.62.700. **Flood hazard: New construction**

"New construction" means structures for which the start of construction commences on or after the effective date of the ordinance codified in this chapter.

§17.62.710. **Flood hazard: New manufactured home park or manufactured home subdivision**

"New manufactured home park" or "manufactured home subdivision" means a parcel (or contiguous parcels of land) divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance codified in this chapter.

§17.62.720. **Flood hazard: Start of construction**

"Start of construction" means the first placement of permanent construction of a structure (other than a manufactured home) on a site, which as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and
filling, nor does it include installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the “start of construction” includes the first permanent construction, such as the pouring of slabs, pilings, footings, etc. For manufactured homes not within a manufactured home park or manufactured home subdivision, “start of construction” means the affixing of the manufactured home to its permanent site.

§17.62.730. Flood hazard: Structure
“Structure” means a walled and roofed building or manufactured home that is principally above ground.

§17.62.740. Flood hazard: Substantial improvement
“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:
A. Before the improvement or repair is started; or
B. If the structure has been damaged and being restored before the flood damage occurred. For the purpose of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure;
C. The term, does not, however, include either:
   1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
   2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

§17.62.750. Flood hazard: Variance
“Flood Hazard Variance” means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. Such variances are to be reported to the Federal Emergency Management Agency upon request.

§17.62.760. Floor Area Ratio (FAR)
“Floor Area Ratio (FAR)” means the gross floor area of a primary building, divided by the lot area of the lot on which the building is placed.

§17.62.770. Floor Area, Gross
“Floor Area, Gross” means the total square footage within a structure calculated by using the measurements from the exterior walls.
§17.62.780. **General Plan**

§17.62.790. **Garage**
"Garage" means a structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents of the residential building and is not a separate commercial enterprise available to the general public.

§17.62.800. **Gateway**
"Gateway" means an entrance to the Logan area which transitions from generally rural, agricultural, or undeveloped areas into the urban City limits.

§17.62.810. **Grade, Average Finished**
"Grade, Average Finished" means the average between the highest and lowest elevation of the ground abutting the street walls of a structure, existing, or as shown on the construction plans.

§17.62.820. **Grandfathering**
"Grandfathering" is a colloquial term used to refer to legally existing nonconformities. Refer to §17.62.1200.

§17.62.830. **Groundcover**
"Groundcover" means plants, generally not exceeding an average maximum height of 24 inches at maturity.

§17.62.840. **Group home**
"Group home" means a profit or non-profit boarding home for the sheltered care of person with special needs, which, in addition to providing food and shelter may also provide some combination of personal care, social or counseling services, and transportation. A "group home" use is not the same as the use "community service," as defined in §17.62.420. A "group home" is not a "shelter" as defined in §17.62.1590.

§17.62.850. **Hedge**
"Hedge" means a landscape barrier consisting of a continuous, dense planting of shrubs.

§17.62.860. **Height, Building**
"Height, Building" means the height of building is the vertical distance above the reference datum of the ground. This is shown in Figure 17.62.860. The height of a building is calculated utilizing the current version of the Uniform Building Code as amended.
17.62.870. Height, Structure (other than building)
“Height, Structure (other than building)” means the vertical distance measured from “Average Finished Grade” to the highest point of the structure.

§17.62.880. Historic Preservation Committee
“Historic Preservation Committee” means the committee appointed by the Mayor for duties specified in Logan Municipal Code Chapter 2.32.

§17.62.890. Home occupation
“Home occupation” means any activity carried out for gain or requiring a business license by a resident and conducts as a customary, incidental, and accessory use in the resident’s dwelling unit.

§17.62.900. Home occupation—professional office
“Home occupation—professional office” means a home occupation consisting of the office of a practitioner of a recognized profession. Refer to §17.62.890.

§17.62.910. Homeless person
“Homeless person” means a person without permanent housing.

§17.62.920. Hotel
“Hotel” means a facility offering transient sleeping rooms and providing additional services within the same building, such as restaurant(s), conference or meeting rooms, banquet facilities, and full guest services, such as room service or a gift shop.

§17.62.930. Household
“Household” means a housekeeping unit living together in a single dwelling unit, with common access to and common use of all living and eating areas and all
areas and facilities for the preparation and serving of food within the dwelling unit.

§17.62.940. **Infill lot**
“In-fill lot” means an undeveloped parcel located within an area where most of the surrounding parcels are already development.

§17.62.950. **Inner block development**
“Inner block development” means “planned development.” Refer to §17.62.1320.

§17.62.960. **Irrigation**
“Irrigation” means a system of to convey water to all landscaped or agricultural areas.

§17.62.970. **Kennel**
A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation. A business license may be required.

§17.62.980. **Land Area**
“Land area” means the total area of a lot lying within the lot lines, not including any portion of a street or right-of-way.

A. **Land Area, Gross:**
“Gross land area” means the size of a lot or parcel of land prior to subdivision or dedication of road rights-of-way, or other rights-of-way.

B. **Land Area, Net**
“Net land area” means that land available for development after the area allocated for roads or rights-of-way is deducted from the gross land area.

§17.62.990. **Landscape strip**
“Landscape strip” means the area between the property side of the curb and the property line that is within the public street or right-of-way upon which landscaping, including groundcover and trees, is planted.

§17.62.1000. **Landscaping**
“Landscaping” means consisting of any of the following or a combination thereof; material such as, but not limited to grass, groundcover, shrubs, vines, hedges, or trees; but excluding sand, gravel, pavers, or pavement, unless the latter are approved as a component of the landscaping plan by the Planning Commission.

§17.62.1010. **Lawn**
“Lawn” means an area of maintained turf or grass.

§17.62.1020. **Loading Area**
“Loading Area” means the area available for the maneuvering and standing of vehicles engaged in delivering and loading of passengers, freight, or other articles.
§17.62.1030. Lodging
“Lodging” means a generic term for accommodations, such as motel or hotel (See “accommodations”).

§17.62.1040. Lodging house
See “Boarding house” in §17.62.280.

§17.62.1050. Lot
“Lot” means property that has been legally subdivided with appropriate City approvals on which development may occur.

A. Lot, Corner
A lot abutting two or more streets at their intersection.

B. Lot, Interior
A lot other than a corner lot.

C. Lot, Through
A lot, other than a corner lot, having frontage on two parallel or approximately parallel streets.

§17.62.1060. Lot coverage
“Lot coverage” means the percentage of a lot covered by all building footprints.

§17.62.1070. Lot Depth
The horizontal distance between front and rear lot lines measured at the mid-point between the two side lot lines.

§17.62.1080. Lot Lines
“Lot Lines” means the property lines delineating the boundaries of a lot.

A. Lot Line, Corner
Any lot lines that abut a street. Street line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street line may include front lot lines and side lot lines.

B. Lot Line, Front
A lot line that abuts a street. On a corner lot, the front line is the property line from which the main entrance to the structure is located. If two or more street lot lines are of equal length, then the applicant or property owner may choose which lot line is to be the front. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.

C. Lot Line, Interior Side
Any lot line except a front or rear lot line. On a corner lot, the longer lot line that abuts a street, is a street side lot line.

D. Lot Line, Rear
A lot line that is opposite a front lot line. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.
E. Lot Line, Street Side
A lot line that is both a side lot line and a street lot line.

F. Lot Line, Street
Any lot lines that abut a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and side lot lines.

§17.62.1090. Lot of Record
"Lot of Record" means a lot that was legally created before any amendment to the Land Development Code.

§17.62.1100. Lot Width
A. Lot width
The distance between two side lot lines as measured at the midpoint between the front and rear lot lines.

B. Average lot width
The average horizontal distance between side lot lines.

C. Minimum lot width
The narrowest point between side lot lines.

§17.62.1110. Mixed-Use
"Mixed-Use" means the combination on a site of residential uses with commercial or industrial uses.

§17.62.1120. Motel
"Motel" means an establishment providing sleeping accommodations and limited support services, such as no room service, no in-facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher (See also "accommodations" and "hotel").

§17.62.1130. Mulch
"Mulch" means nonliving organic material customarily used in landscape design to retard erosion and retain moisture.

§17.62.1140. Multi-family
"Multi-Family" means two or more attached residential dwelling units on a single parcel of land.

§17.62.1150. Neighborhood character
"Neighborhood character" means an area of the community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as a river or canal.
§17.62.1160. Nonconforming Lot
A. Legally existing nonconforming lot.
A lot or parcel that was lawful and conforming to regulations prior to the adoption, revision, or amendment of Logan Municipal Code Titles 16 and 17 prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the regulations of the zoning district in which it is located. A legally existing lot shall also have been divided or subdivided in conformance with the provisions of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code.

B. Illegally existing lot.
A lot or parcel that was created without compliance with requirements of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code, or lots created without compliance with Title 17 of the Logan Municipal Code.

§17.62.1170. Nonconforming Sign
A. Legally existing nonconforming sign.
A sign that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

B. Illegally existing sign.
A sign that was established without compliance with regulations in effect at the time it was erected or was erected without a permit.

§17.62.1180. Nonconforming Structure
A. Legally existing nonconforming structure or building.
A building or structure, the size, dimensions, or location of which was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

B. Illegally existing building or structure.
A building, structure, or sign that was not in compliance with zoning, building, or planning regulations in effect at the time it was constructed or erected.

§17.62.1190. Nonconforming Use
A. Legally existing nonconforming use.
An activity located on any land, or within building or structure that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.
B. Illegally existing use.
The use of any land, building, or structure for which no permit was obtained, which has not complied with the use regulations of the zoning district in which it is located, or was not established in conformance with regulations of the City at the time the use was established.

§17.62.1200. Nonconformity
"Nonconformity" means a use, sign, structure, lot, or other situation that does not comply with currently applicable regulations of Title 17 of the Logan Municipal Code. A nonconformity maybe legally existing or illegally existing as further defined in §17.62.1160 through §17.62.1190.

§17.62.1210. Official map
A. Official transportation map
The map of proposed streets that has the legal effect of prohibiting development of the property until the municipality develops the proposed street. The “official transportation map” includes the street and transportation maps within the General Plan, the street maps within the City of Logan “Transportation Master Plan,” and the street maps within any plans prepared by the Cache Metropolitan Transportation Organization.

B. Official zoning map.
The map enacted by the Municipal Council identifying the location of all zoning districts as applied to lands within the City of Logan.

§17.62.1220. Off-site improvements
"Off-site improvements" means construction of public facilities or public improvements that are not located on the parcel under development.

§17.62.1230. On-site improvements
"On-site improvements" means construction of public facilities or public improvements and access within the boundaries of a lot proposed for development.

§17.62.1240. Open Space
"Open Space" means an area of private or public land on which there is little or no site development. Open space also means an area set aside for no or limited development as a property that has identified visual, environmental, or aesthetic characteristics that provide a public benefit or health or safety protection that overrides the need to convert the property for development.

A. Open Space, Common
Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include accessory structures or improvements as necessary and appropriate for common use.
B. Open Space, On-Site
An open area not occupied by any structures or impervious surfaces. Also may be known as a “green area” or “greenbelt.”

C. Open Space, Useable
An open area for passive or active recreation that is of a suitable size, topography, location, and shape to permit the activities for which it is intended. Generally, useable open space shall be of a size, area, and configuration to be used for active or passive recreation, or for purposes approved by the decision-makers. For specific area requirements, refer to §17.15.010.

§17.62.1250. Parcel
Same as “Lot.”

§17.62.1260. Parking Area
“Parking Area” means any public or private area, under, above, or outside a building or structure, designed and used for parking motor vehicles. Driveways, private garages, parking lots, private driveways may be part of parking areas.

§17.62.1270. Parking Bridge
“Parking Bridge” means a structure typically spanning an irrigation gutter or similar feature allowing vehicles to travel from the pavement of a street onto a parking area or private property.

§17.62.1280. Parking Space
“Parking Space” means a hard surfaced area for short-term storage of vehicles.

§17.62.1290. Paved Area
“Paved area” means an uncovered hard surfaced area or an area covered with a perforated hard surface (such as “grasscrete”), that may withstand vehicular traffic or other heavy impact uses. Gravel covered areas are not considered paved areas.

§17.62.1300. Performance standard
“Performance standard” means a regulation, quantity, timing requirement, or other requirement of this Title for which the code identifies an objective or measure to be achieved or accomplished but allows the decision-makers or project applicant the flexibility to propose the means by which the requirement will be successfully achieved.

§17.62.1310. Person
“Person” means any person, partnership, association, limited liability corporation, or corporation.

§17.62.1320. Planned development
“Planned development” means an area to be planned, developed, operated, and maintained according to a plan as a single entity and containing one or more
structures with appurtenant common areas. Planned developments may have individual ownership of airspace, dwelling units, or commercial units in conjunction with commonly owned space. Planned developments may contain a mixture of land use classifications as approved by the City during the hearing and permitting process.

§17.62.1330. Planned unit development
"Planned unit development" means a planned development (Refer to §17.62.1320) which is a comprehensive project in which the site planning, building design, and landscaping are all part of an overall single approval process to ensure that the project develops in a planned and comprehensive manner over its life. A planned unit development may also mean a style of ownership in which the property owner owns the ground under the unit, possibly some exterior patio area, and the exterior walls, and additionally owns an undivided interest in the common area.

§17.62.1340. Planning Commission
"Planning Commission" means the seven member body appointed by the Mayor as authorized in Logan Municipal Code Chapter 2.40.

§17.62.1350. Plant unit
"Plant Unit" means a numeric measurement to establish planting requirements which can be expressed in optional Plant Types. Units provide equivalency values for each plant type as described elsewhere in this Chapter.

§17.62.1360. Plat
"Plat" means the official map approved by the City, prepared for recordation showing the boundaries of the subdivision, the location of lots, easements, streets, common areas, and upon which are affixed required signatures, notes, and other such inscriptions as required by conditions of project approval.

§17.62.1370. Preliminary plat
"Preliminary plat" means a draft or proposed map of a subdivision presented to the City for review and action.

§17.62.1380. Prescriptive standards
"Prescriptive standards" means a regulation, quantity, timing requirement, or other requirement of this Title for which the code specifies or prescribes what must be accomplished or achieved.

§17.62.1390. Primary Structure
"Primary Structure" means a structure or combination of structures of chief importance or function on a site. Usually, the primary use of the site is carried out in a primary structure. The difference between a primary and accessory structure is determined by comparing the size, placement, similarity of design, use of
common building materials and the orientation of the structures on a site. Garages are an accessory use.

§17.62.1400. Primary Use
"Primary Use" means an activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use.

§17.62.1410. Project
A. "Project" means any application, petition, or request for an action by the City that results in the issuance of a permit, approval or conditional approval of a development entitlement, or authorization by a City official, board, commission, committee, or council.
B. "Project" means development on a particular area of land.

§17.62.1420. Proponent
"Proponent" means a person who advocates on behalf of a project. A proponent may be the owner of the property or someone who is representing the owner such as a builder, developer, optional purchaser, consultant, or architect.

§17.62.1430. Property owner for purposes of mailed notice
"Property owner for purposes of mailed notice " means the person who is shown on the County’s rolls as the record owner of a lot or parcel in the City of Logan. The "record property owner on the latest County rolls" means the person shown as an owner of record as of the time the property rolls were finalized for setting property tax bills. Generally, this means the property owner as of January first of a calendar year.

§17.62.1440. Residential Facilities for the Elderly
"Residential Facilities for the Elderly" means the City adopts the standards and definitions within the Utah Code.

§17.62.1450. Residential Facilities for people with disabilities
"Residential Facilities for people with disabilities" means the City adopts the standards and definitions within the Utah Code.

§17.62.1460. Residential Structure Types
A. House, Attached
"House, Attached" means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a “townhouse” or “townhome.”

B. House, Detached
"House, Detached" means a dwelling unit located on its own lot that is not attached to any other dwelling unit.
C. Duplex
“Duplex” means a structure that contains two dwelling units on one lot. The units may share common walls or common floor/ceilings.

D. Fourplex
“Fourplex” means a structure that contains four attached dwelling units on one lot. The units may share common walls or common floor/ceilings.

E. Group Living Structure
“Group Living Structure” means a structure that contains sleeping areas and at least one set of cooking and sanitary facilities that is used as a residence for Group Living uses.

F. Manufactured Housing Unit
“ Manufactured Housing Unit” means a dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.

G. Multi-Dwelling Structure
“Multi-Dwelling Structure” means a structure that contains five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwellings include structures commonly called apartments and condominiums.

H. Triplex
“Triplex” means a structure that contains three dwelling units on one lot. The units may share common walls or common floor/ceilings.

I. Townhome
“Townhome” means a townhouse dwelling unit that is attached to an adjoining dwelling unit, in which the ground and building are owned in fee title. A townhome is a part of a cluster or planned unit development.

J. Townhouse
“Townhouse” means a dwelling unit constructed in a row of three or more dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

K. Twinhome
“Twinhome” means a structure that contains two dwelling units with common walls or abutting walls, each located on its own lot. Twinhomes are often created by subdividing a single duplex into two separate lots, each of which contains one dwelling unit. A Twinhome is an “Attached house.”

§17.62.1470. Retail food establishment—mobile
“Retail food establishment—mobile” means a vehicle, normally and not limited to, a van, truck, towed trailer, or push cart from which food or beverages are sold.

§17.62.1480. Retail sales
“Retail sales” means businesses or other establishments engaged in selling goods of merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
§17.62.1490. Retail sales establishment
"Retail sales establishment" means a business location engaged in retail sales which result in activities intended to attract the general public to buy including receiving and reselling goods, including process or manufacture of products, such as baked goods or jewelry, provided that the two-thirds or more of the sales volume of the process or manufacture goods is sold on premises.

§17.62.1500. Retail sales—outdoor
"Retail sales—outdoor" means the display and sales or products or services primarily outside of a building or structure including vehicles, building materials, garden supplies, gas, food and beverages, boats and aircraft, farm equipment, recreation vehicles, building and landscape materials, and lumber yards.

§17.62.1510. Retail services
"Retail services" means an establishment providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate, insurance, personal service, motion pictures or video, amusement and recreation services, health, educational, and special services, museums, and galleries.

§17.62.1520. Review Body
"Review Body" means a person or group authorized in the Land Development Code to conduct land use reviews and to act in an advisory capacity.

§17.62.1530. Right-of-Way Access Permit
"Right-of-Way Access Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to work within or access from private property into the public right-of-way.

§17.62.1540. Right-of-Way Parking Permit
"Right-of-Way Parking Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to maintain parking spaces within the public right-of-way.

§17.62.1550. School
"School" means any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge [This component of the definition is all encompassing and includes all types of schools, whether public, private, parochial, nonprofit, or for-profit].

A. School, elementary
"Elementary school" means any school licensed by the State that meets the state requirements for elementary education.

B. School, parochial
"Parochial school" means a school supported and controlled by a church or religious organization.
C. School, private
"Private school" means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.

D. School, public
"Public school" means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does secure the major part of its funding from taxes or any governmental agency.

E. School, secondary
"Secondary school" means any school licensed by the state and that is authorized to award diplomas for secondary education.

F. School, vocational
"Vocational school" means a secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility.

§17.62.1560. Setback
"Setback" means the distance that is required by the Land Development Code to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term "setback" refers to a required minimum distance while the term "yard" refers to the actual open area. Refer to Figures 17.62.1560.A and 17.62.1560.B.
A. Setback, Corner
   The distance from the street side property line not designated as a “front setback” to
   the closest distance a structure may be located from the property line.

B. Setback, Front
   The distance from the front property line to the closest point a structure can be
   constructed to the front property line.

C. Setback, Side Interior
   The distance from the interior side property lines to the closest distance a
   structure may be located from the property line.

D. Setback, Rear
   The distance from the rear property to the closest distance a structure may be
   located from the property line.

§17.62.1570. Shade tree
   “Shade tree” means a hardwood tree that reaches a mature height of at least 15
   feet at maturity, provides relief from direct sunlight and is included in the
   permitted species list.

§17.62.1580. Shed
   “Shed” means a permanent or temporary structure that is less than one hundred
   and twenty square feet in gross floor area, has no electricity or plumbing, and
   does not require a building permit (Any structure with electricity or plumbing
requires a building permit, and is defined as a "structure." Any shed over 120 square feet is a "structure").

§17.62.1590. Shelter
Shelter" means a building serving as a residence for designated persons or special classes of persons; or a building serving as a temporary refuge.

A. Emergency shelter
"Emergency shelter" means a building serving as a temporary residence for persons, other than homeless persons (§17.62.910), while temporarily awaiting permanent housing or a return to permanent housing.

B. Homeless shelter
"Homeless shelter" means a building serving as a permanent dwelling unit for homeless persons without limitation on the length of stay.

C. Transitional shelter for the homeless
"Transitional shelter for the homeless" means a building serving as a residence for homeless persons on an interim basis while more permanent shelter or housing facilities are being prepared for their occupancy. A "transitional shelter for the homeless" can also be an emergency shelter for homeless persons.

§17.62.1600. Shrub
"Shrub" means a bushy, woody plant usually with several permanent stems, and usually not over 10 feet high at maturity and not less than 18 inches upon installation.

§17.62.1610. Sight distance triangle
"Sight distance triangle" means the distance along public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street forty feet from the intersection.

§17.62.1620. Sign
"Sign" means any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

§17.62.1630. Sign—animated or moving
"Sign—animated or moving" means any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the
visual impression of such movement or rotation. Electronic message centers and visual broadcast centers are not classified as animated or moving signs.

§17.62.1640. Sign—attention-getting device
“Sign—attention-getting device” means attention-getting devices, including pennants, whirligigs, streamers, and other similar devices broadly defined to include triangular plastic flags attached to wires, ropes, and strung between products, poles, light standards, or the ground. Whirligigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.

§17.62.1650. Sign—awning, canopy, or marquee
“Sign—awning, canopy, or marquee” means a sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance.

§17.62.1660. Sign—banner
A. Sign—banner means banner
“Banner” means a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.

B. Commercial banner
“Commercial banner” means a banner that is erected by a business for purposes of attracting attention to products, services, activities, promotions, or events occurring on or at the location of the business.

C. Noncommercial banner
“Noncommercial banner” means a banner that is erected by the City, a nonprofit organization, bona fide service club, school, religious institution, or bona fide club for purposes of promoting a specific event or activity open to the public.

§17.62.1670. Sign—bench
“Sign—bench” means a sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a Public place or roadway.

§17.62.1680. Sign—billboard

§17.62.1690. Sign—building
“Sign—building” means a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve inches from such building or structure.
§17.62.1700. Sign—bulletin board
"Sign—bulletin board" means a sign that identifies an institution or organization on the premises of which it is located and that contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.

§17.62.1710. Sign—business
"Sign—business" means a sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

§17.62.1720. Sign—cabinet
"Sign—cabinet" means a sign enclosed and supported by a frame that is attached to a wall.

§17.62.1730. Sign—construction
"Sign—construction" means a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

§17.62.1740. Sign—directional
"Sign—directional" means signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit" or a sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including parking areas, circulation direction, rest rooms, and pickup and delivery areas.

§17.62.1750. Sign—directory
"Sign—directory" means a sign listing the tenants or occupants of a building or group of buildings or project and that may indicate their respective professions or business activities (Refer to Figure 17.62.1750)

§17.62.1760. Sign—face
"Sign—face" means the area or display surface used for the message.

§17.62.1770. Sign—freestanding
"Sign—freestanding" means any permanent, nonmovable sign not affixed to a building.
§17.62.1780. Sign—governmental
“Sign—governmental” means a sign erected and maintained pursuant to and in
discharge of any governmental functions or required by law, ordinance, or other
governmental regulation.

§17.62.1790. Sign—holiday
“Sign—holiday” means temporary signs, in the nature of decorations, clearly
incidental to and customarily and commonly associated with a national, local, or
religious holiday.

§17.62.1800. Sign—home occupation
“Sign—home occupation” means a sign containing only the name and occupation
of an appropriately licensed permitted home occupation.

§17.62.1810. Sign—illuminated
“Sign—illuminated” means a sign lighted by or exposed to artificial lighting
either by lights on or in the sign or directed toward the sign.

§17.62.1820. Sign—inflatable
“Sign—inflatable” means any display greater than six feet in height, including
any tethering material, capable of being expanded by air or other gas and used on
a permanent or temporary basis to advertise a product or event. A display of six
feet or less in height is defined as a balloon.

§17.62.1830. Sign—memorial
“Sign—memorial” means a sign, tablet, or plaque memorializing a person, event,
structure, or site.

§17.62.1840. Sign—menu board
“Sign—menu board” means a sign that displays items for sale at a drive-through
window.

§17.62.1850. Sign—message center, electronic
“Sign—message center, electronic” means signs with alphabetic, pictographic, or
symbolic information content that can be changed or altered on a fixed display
surface composed of electrically illuminated and changeable segments. Signs with
informational content that can be changed or altered by means of computer driven
or electronically created impulses.

§17.62.1860. Sign—message center, manual
“Sign—message center, manual” means signs with alphabetic, pictographic, or
symbolic information content can be changed or altered on a fixed display
surface changed by manual means, such as and not limited to removing and
replacing messages by changing individual letters.
§17.62.1870. Sign—monument
"Sign—monument" means any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

§17.62.1880. Sign—painted
"Sign—painted" means a sign that is painted directly onto the wall of a building or structure without a physical structure or frame and does not meet the definition of "wall art" (Refer to §17.62.2220).

§17.62.1890. Sign—pole
"Sign—pole" means a sign that is mounted on a freestanding pole or other support.

§17.62.1900. Sign—political
"Sign—political" means a temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

§17.62.1910. Sign—portable
"Sign—portable" means a sign that is not permanent, affixed to a building, structure, or the ground.

§17.62.1920. Sign—perpendicular
"Sign—perpendicular" means a sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building.

§17.62.1930. Sign—reader board
See "sign—message center, manual"

§17.62.1940. Sign—real estate
"Sign—real estate" means a sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

§17.62.1950. Sign—roof
"Sign—roof" means a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

§17.62.1960. Sign—temporary
"Sign—temporary" means a sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

§17.62.1970. Sign—vehicle
"Sign—vehicle" means a sign on a vehicle not customarily and regularly used to transport persons or properties.
§17.62.1980. Sign—wall
See "sign—building"

§17.62.1990. Sign—window
"Sign—window" means logos, graphics, or advertising copy attached to or painted on a window.

§17.62.2000. Sign area
"Sign area" means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure. (see also §17.40.040).

§17.62.2010. Single family
"Single family" means one family as defined in this chapter (Refer to 17.62.580, "Family").

§17.62.2020. Site Plan
"Site Plan" means a development plan or drawing which contains information required by the City intended to show existing and proposed site conditions, and other information necessary to obtain a permit or other approval.

§17.62.2030. Sketch plan
"Sketch plan" means a draft, rough, or conceptual drawing that expresses the general location of site development features, buildings, or other changes to the site that is prepared in order to obtain preliminary comments or address issues associated with the proposed development of a site. Sketch plans are prepared in advance of the expense required to prepare a full site plan.

§17.62.2040. Story, Half
"Story, Half" means a story under a gable or hip or gambrel roof the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.

§17.62.2050. Story
"Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it then the space between such floor and the ceiling next above it; not including cellar or basement.

§17.62.2060. Street
"Street" means public right-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements, and other ways. The public right-of-way shall also include the planting strip, sidewalk, curb, and gutter.
§17.62.2070. **Structure**
"Structure" has the meaning as defined in the current adopted edition of the Uniform Building Code.

§17.62.2080. **Subdivision**
A. "Subdivision" means any land that is divided, resubdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purposes, whether immediately or future, for offer, sale, ground lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including for purposes of securing financing.
B. Subdivision includes:
   1. the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; or
   2. divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes, or
   3. the creation of condominiums, townhomes, planned developments, and any other project that results in individual ownership in fee title, airspace, or cooperatively; or
   4. stock cooperatives.
C. "Simple subdivision" means "subdivision".
D. "Major subdivision" means "subdivision".
E. "Minor subdivision" means "subdivision".
F. "Lot split" means subdivision.
G. When counting lots in a subdivision, the lot that exists prior to subdivision counts as one lot.

§17.62.2090. **Subdivision ordinance**
The "subdivision ordinance" is incorporated within the City of Logan Land Development Code in the Logan Municipal Code.

§17.62.2100. **Tandem parking**
"Tandem parking" means a parking design in which one car parks behind another car in a single width driveway lane or single width parking space.

§17.62.2110. **Technical Advisory Committee**
"Technical Advisory Committee" means a committee that may be established as needed at the discretion of the Mayor to provide technical support or recommendations to the Mayor or other Commissions or Boards.
§17.62.2120. Townhome
"Townhome" means a dwelling unit that is attached to an adjoining dwelling unit, in which the ground and building are owned in fee title. A townhome is a part of a cluster or planned unit development.

§17.62.2130. Tree
"Tree" means any self-supporting woody perennial plant which has a trunk diameter of 3 inches or more when measured at a point 4.5 feet above grade and which normally attains an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches. Trees may appear to have several stems or trunks, as in several varieties of oaks.

§17.62.2140. Tree canopy
"Tree Canopy" means the upper portion of a tree consisting of limbs, branches and leaves.

§17.62.2150. Tree removal
"Tree removal" means to change the location of, or any action or inaction which will cause a tree to die within a period of 9 months. Tree removal also includes any action to any part of a tree which will cause a tree to become so undesirable as to warrant the total removal of the tree, e.g., improper pruning so as to destroy the natural shape or which causes infection, infestation, rot or decay; application of herbicidal or other lethal chemicals; paving over the root system, etc.

§17.62.2160. Triplex
"Triplex" means a residence consisting of three attached dwelling units.

§17.62.2170. Twin home
"Twin home" means a residence consisting of two attached units that are individually owned and occupied.

§17.62.2180. Usable open space
Refer to "Open Space—usable".

§17.62.2190. Use
"Use" means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

§17.62.2200. Vegetation, native
"Vegetation, native" means any plant species which is indigenous to all or a part of northern Utah or the northern Rocky Mountain and Great Basin ecosystems. Plant species which have been introduced by humans are not classified as native species.
§17.62.2210. Vehicle use area
"Vehicle use area" means an area used for the loading, circulation, access, storage or display of motor vehicles. Designated off-street parking spaces or spaces on public or private streets shall not be considered vehicular use areas.

§17.62.2220. Vines
"Vines" means plants which normally require support to reach mature form.

§17.62.2230. Wall art
"Wall art" means a graphic representation that has no advertising or promotional content, no signage, no logos, or other commercial content or graphics.

§17.62.2240. When feasible
"When feasible" means when all attendant circumstances are considered, the benefit to the community outweighs the cost and burden to the proponent or developer.

§17.62.2250. Yard
"Yard" means the actual undeveloped open space that exists or that is proposed between a structure and the lot lines of the lot on which the structure is located. See "Setback."

§17.62.2260. Zoning amendment
"Zoning amendment" means an application or petition to change either the Official Zoning Map or the regulations, provisions, standards, specifications, or text of the Land Development Code.

§17.62.2270. Zoning district
"Zoning district" means the separate areas defined within the City to which a specific zoning district or land use classification is assigned.

A. Base zoning district
"Base zoning district" means a zoning district that establishes the primary permitted uses, conditional uses, and development standards for a parcel of land.

B. Combining Zoning district
"Combining Zoning district" means a zoning district in the Land Development Code which is applied to a parcel of land to add special or additional development requirements in addition to or in place of the requirements of the base zoning district.

§17.62.2280 Zoning ordinance
"Zoning ordinance" means all those ordinances enacted by the Municipal Council for the City of Logan codified in Title 17 of the Logan Municipal Code or within the Land Development Code.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, etc.

On this 20th day of August, A.D. 2003, personally appeared before me, Rachelle S. Thomas, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

NOTICE OF PUBLIC HEARING FOR PURPOSES OF AMENDING THE LAND DEVELOPMENT CODE

was published in said newspaper for One (1) issue commencing August 20, 2003, and ending August 20, 2003, a copy of which is hereto attached, was published in said newspaper for commencing August 20, 2003 and ending August 20, 2003.

Signed

Subscribed and sworn to before me, the day and year above written.

Signed


NOTICE OF PUBLIC HEARING FOR PURPOSES OF AMENDING THE LAND DEVELOPMENT CODE

The Logan Municipal Council will hold public hearings to consider the following changes to the Logan Municipal Code, 1989:

(1) City of Logan, applicant, proposes a text change to Section 17.01.030B, "Prohibitions," to read: "No land, building or structure may be developed, used, occupied, erected, moved or altered without conformance with the provisions of this title and state law;"

(2) Hawkins Companies/City of Logan, applicants, propose a text change to Section 17.40, "Signs" and 17.62, "Definitions;"

(3) City of Logan, applicant, proposes a text change to Section 17.55, "Procedures for Processing Applications." The proposed amendment would modify Section 17.55.010, "Uniform Project Review Procedures;"

(4) City of Logan, applicant, proposes a text change to Section 17.50, "Design Review Permits." The proposed amendment would modify Section 17.50.040A, "Design Review Permits.

A public hearing will be held before the Logan Municipal Council on Wednesday, September 3, 2003, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah. Copies of the ordinance are available at the City Recorder's office during regular business hours.

Lois Price, Recorder
Publication Date: August 20, 2003